

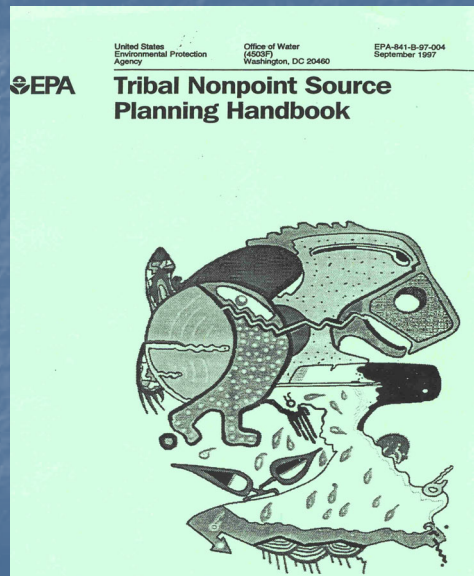
Nonpoint Source Assessment Report and Management Program

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NPS Assessment Report and Management Program

- Enables Tribes to identify NPS effects on water quality (ie. Use CWA 106 monitoring data)
- Enables Tribes to determine NPS pollution causes
- Rank NPS affected waterbodies by impairment
- Proposes solutions to address identified NPS
 - Best Management Practices (BMPs)
 - Other Activities

NPS Planning Handbook



- Use the NPS Planning Handbook as your guide
- Work with your Project Officer for more assistance

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The NPS Planning Handbook will help Tribes develop their NPS Assessment and Management Program. If followed, Tribes will identify NPS issues, effects, and causes, be able to rank them by impairment, and propose solutions. The NPS Assessment and Management Program will then serve as a guide over the next several years for addressing & correction NPS pollution on tribal land.

NPS Assessment Report

A tool to help identify:

- Water quality problems
- Sources of NPS pollution
- Existing Best Management Practices (BMPs)
- Programs and methods to control NPS pollution



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The Nonpoint Source Assessment Report describes existing and potential nonpoint source-related water quality problems on tribal lands, using existing water quality data or informed best professional judgment. Contact your EPA regional office to find out where these data can be obtained.

The report identifies the nature, extent, and effect of NPS pollution and the causes of such pollution.

It should also describe existing programs and methods needed for controlling the pollution.

Nonpoint Source Assessment Report: Components (16)

- Cover
- Table of Contents
- Overview
- Introduction
- Methodology
- Land Use Summary
- Surface and Ground Water Quality Summary
- Results
- Discussion
- Selection of Management Practices
- Nonpoint Source Control Programs
- Conclusions
- Public Notice/Comment
- References
- Appendices
- Acronym List

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The remainder of this session will focus on how to develop each component of the Nonpoint Source Assessment Report.

New guidance from EPA expected in late 2009 provides direction on public comment. Public notice is required in the statute. Since all EPA Regions do not utilize the checklists for the Assessment Report and Management Plans, Tribes should consult with each EPA Region independently while developing these documents to obtain guidance on what is appropriate public notice and comment. Details of the public notice and comment process are to be included as part of both the Assessment Report and Management Plan documents.

Nonpoint Source Assessment Report: Overview

- Purpose of Report
- Explain need for NPS Assessment Report
- A general summary of analysis to follow

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In the overview, state the purpose of the report and explain the need for a Nonpoint Source Assessment Report for tribal lands based on known or observed data.

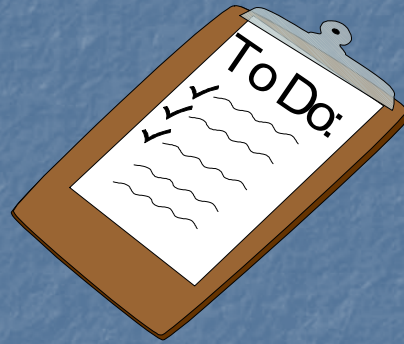
Provide a general summary of the analysis that will follow, stressing major conclusions and broad areas of concern.

Discuss only significant data and general findings in this section. For example, in this section you might discuss the number and proportion of impaired stream miles on the reservation, the most common types of NPS pollutants causing the impairment, and the most significant sources of the pollutants.

The section should not exceed one page in length. It should be written last, after the Assessment Report is completed.

Nonpoint Source Assessment Report: Introduction

- State the goals of report
 - General statement of purpose
- State the objectives of report
 - Specific measurable action



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The introduction should include the goals and objectives of the Nonpoint Source Assessment Report.

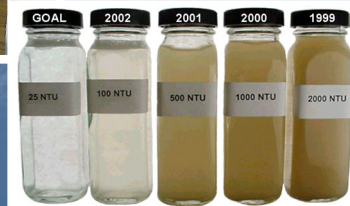
A goal statement is a general statement of purpose for conducting a nonpoint source assessment. An example is “to identify the nature and extent or threat of NPS pollution on tribal lands and waters.”

An objective is a specific, measurable action or intention that leads to achievement of the goals. An example is “to draw linkages between upstream-downstream and channel-upslope conditions.”

Nonpoint Source Assessment Report: Methodology

Describe:

- How and where was the data obtained (ie., CWA 106)
- How was the study conducted
- Any assumptions made in analysis
- Any uncommon software or evaluation techniques



In the methodology section, describe how and where the data were obtained, how the study was conducted, and what uncommon software or evaluation techniques were used.

Whenever possible, use existing data sources such as

- Tribal water quality monitoring
- Tribal volunteer monitoring
- USGS
- State sources

Details to be included in this section include

- The type and purpose of the sampling
- Explanations of abbreviations or classifications developed specifically for this assessment, such as division of drainage areas into subunits for more precise analysis
- Assumptions made during the course of the analysis

Remember to references to all documents used and environmental specialists contacted

Nonpoint Source Assessment Report: Land Use Summary

Describe:

- Existing condition of tribal lands
- Land uses and socioeconomic conditions
- Include Maps



The purpose of this section is to generally describe existing conditions on the tribal lands. This section should include a description of the tribal lands, land uses, and socioeconomic conditions. Include a map of the area and a regional location map.

Describe the existing conditions on tribal lands

- | | |
|------------------------------------|------------------------|
| -Tribal land maps | -Regional location map |
| -Acreage/square miles | -Political boundaries |
| -Land use types | -Land Ownership |
| -Topography (USGS quadrangle maps) | |

Nonpoint Source Assessment Report: Surface and Ground Water Quality Summary

- Describe existing conditions of tribal waters
 - Water hydrology and quality (recommend use information from CWA 106 monitoring program)
- Describe existing NPS reduction programs
 - Example: Ranchers provide alternate water sources for cattle to prevent them from using ponds
- Map of waters
 - Use same map from TAS/FAE application

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The purpose of this section is to thoroughly describe the existing conditions of tribal waters. A detailed map and a complete description of the reservation waters are the focus of this section.

Describe surface and ground water hydrology and quality, and include appropriate graphics highlighting existing water quality conditions.

List and describe existing tribal, local, state, and federal programs that address NPS pollution control.

Nonpoint Source Assessment Report: Results

Present data information*
related to NPS pollution on
tribal lands:

1. Surface and ground water quality
2. Major water quality pollutants
3. Affected waterbodies

*Recommend using tabular
format



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In the results section, present the available scientific information related to NPS pollution on tribal lands in table format.

(1) Present data tables for surface and ground water that include the following details:

- **Name of waterbody**
- **Size/length**
- **Pollutant or cause of impairment (if known; for example, sediment, nutrients, fecal matter, mine drainage)**
- **Source of pollutant (if possible)**
- **Severity of impairment**

(2) Identify each major type of water quality parameter or pollutant.

(3) Identify waterbodies affected by each category pollutant.

Nonpoint Source Assessment Report: Discussion

- Discuss all information presented in the "Results" section
- Identify categories of NPS pollution that are causing the majority of impaired water uses
 - Rank them by impairment



The discussion is the important analysis section of the Nonpoint Source Assessment Report. It provides an overview of the causes and subsequent effects of NPS pollution.

- **Highlight waters and watersheds that are impaired by NPS pollution and require nonpoint source control measures.**
- **Identify categories of nonpoint sources that are causing the majority of impaired water uses.**
- **Rank each category based on the amount (known or observed) of quantifiable impairment.**
- **Describe the relationship between NPS pollution and specific impaired water quality parameters, as well as any subsequent effects.**
- **Describe what is causing impacts on the waterbody.**

Nonpoint Source Assessment Report: Selection of Best Management Practices (BMPs)

Purpose: Identify the established process for selecting Best Management Practices (BMPs)

1. Core participants and mission statement
2. Public participation and government coordination
3. Specific programs (contacted for assistance with BMPs)
4. Existing BMPs (organized by categories of NPS pollution)
5. Pollution reduction—description of process

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The purpose of this section is to identify the established process for selecting BMPs on tribal lands.

- (1) List the core participants and include a purpose or mission statement for each participant.**
- (2) Explain how the public participants will be involved in the selection of BMPs. Explain how the selection of BMPs will be coordinated with other government agencies (local, state, federal). Give examples of different levels of participation including technical assistance, education, demonstration projects, and financial assistance.**
- (3) Are there specific programs available for assisting with specific BMPs? If so, explain.**

List Programs that have been or will be contacted for assistance:

- U.S. Department of Agriculture (NRCS)
- BIA cost share programs
- State Revolving Funds
- U.S. Corps of Engineers

- (4) Explain any existing BMPs implemented and organize it by categories of NPS pollution.**
- (5) Explain the process of how each selected BMP is expected to reduce each NPS pollutant.**

Nonpoint Source Assessment Report: NPS Control Programs

For each category of NPS pollution, identify and describe all available methods and programs

Existing Agriculture BMPs by Nonpoint Source Category					
NPS Category	Nonpoint Source	NRCS Conservation Practice Standards		Partners	Potential Funding
Hydrologic & Habitat Modification	Historic Overgrazing, Erosion & Habitat Destruction & Natural Geologic	322	Channel Vegetation	Tribal EPA/NRCS	CWA 319/NRCS
		390	Riparian Herbaceous Cover	Tribal EPA/NRCS	CWA 319/NRCS
		395	Stream Habitat Improvement & Management	Tribal EPA/NRCS/USFW/University	CWA 319/USFW
		584	Stream Channel Stabilization	Tribal EPA/NRCS	CWA 319

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For each category of NPS pollution, identify available programs for controlling NPS pollution regardless of whether they are currently being used on the tribal lands. Consult with the EPA NPS Coordinator and Indian Coordinator as needed.

Include tribal, state, local, and federal programs that deal with nonpoint source management on tribal lands.

For example, a list of relevant programs might include

- **Environmental Quality Incentives Program (EQIP)**
- **Corps of Engineers' section 404 Dredge and Fill Permit Program**

Nonpoint Source Assessment Report: Conclusions

- Summarize key water quality and NPS pollution findings
- List special concerns
- Identify the most detrimental categories of NPS pollution



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This section summarizes the information presented in the results and discussion sections.

The conclusions should highlight the one or more NPS pollution categories that are most detrimental to tribal waters and will be targeted through the section 319 program.

This section should also describe what is currently being done to address NPS pollution and what is being proposed for the future.

Nonpoint Source Management Program

- A multiyear strategy document designed to bring NPS pollution under control
- Describes how the Tribe intends to correct or prevent existing or potential NPS problems identified in the Assessment Report
- Identifies reservation-wide and watershed-level projects to implement management practices for pollution prevention

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The Management Program acts as a foundation for each Tribe's section 319(h) grant by outlining a strategy to bring nonpoint sources of pollution under control.

It describes the process that Tribes will use to correct or prevent existing or potential NPS pollution problems as identified in the Assessment Report.

It identifies projects at the reservation and watershed levels that are or will be implementing management practices for pollution prevention. It also provides an implementation schedule for these practices.

Nonpoint Source Management Program

- Specifically break down discussion in program by each NPS problem area
 - What water quality parameters are affected by the NPS pollution?
 - What BMPs should be used to address the NPS pollution problem? How will the selected BMPs improve the water quality?
 - How much funding is needed to implement selected BMPs?
 - What kind of technical assistance should be used in implementing the BMPs?

Nonpoint Source Management Program: Components (10)

- Cover
- Table of Contents
- Overview
- Introduction
- Management Program Summary
- Management Program
 - Implementation program
 - Budget plan
- Existing Authorities and Programs
- Public Notice/Comment
- References
- Appendices

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The remainder of this session will focus on how to develop each component of a Nonpoint Source Management Program.

The Management Program includes the following sections:

- **Cover**
- **Contents**
- **Overview**
- **Introduction**
- **Management Program Summary**
- **Management Program**
 - **Implementation program**
 - **Budget plan**
- **Existing Authorities and Programs**
- **References**
- **Appendices**

Nonpoint Source Management Program: Overview

- State purpose of this document
 - Brief summary of Program components
- Explain need for NPS Management Program for Tribal Lands
 - Discuss findings from NPS Assessment Report
- Provide summary of major conclusions of management program
 - What are the most detrimental NPS problems to be addressed? What BMPs should be implemented?

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State the purpose of the document and explain the need for a NPS management program for tribal lands.

Provide a summary of the major components of the management program and explain how each component will reduce NPS pollution in tribal waters.

The section should not exceed one page in length. It should be written last, after the management program is completed.

Nonpoint Source Management Program: Introduction

- Describe goals and objectives of NPS Management Program
- Present a detailed description/listing of steps used in identifying
 - NPS problem areas
 - Priority waterbodies
 - BMPs Solutions



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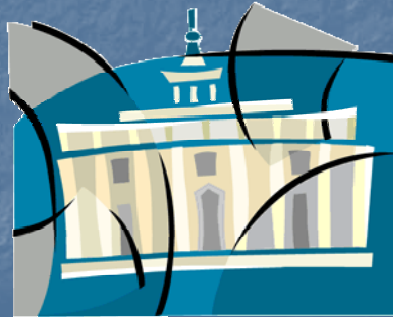
The purpose of this section is to describe the goals and objectives of the Management Program. An example goal statement is “to emphasize prevention whenever possible to minimize the need for more costly later cleanup of tribal waters.”

An objective describes how the goal will be met. An example of an objective is “to promote available technical and financial assistance for land users to increase voluntary implementation of BMPs to prevent or mitigate impairment.”

The introduction should include a concise summary of the data presented in the Assessment Report and provide a detailed description or listing of steps used to identify NPS problem areas, priority waterbodies, and BMP solutions.

Nonpoint Source Management Program: Management Program Summary

- Identify the program's legal authority
- Identify the program's administering agency (ie., WQ Dept)
 - Explain how program is organized
 - Explain how each component will be funded



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The purpose of this section is to provide general information regarding the structure of the Management Program.

It should identify the legal authority and management agency for the proposed Management Program. Include an explanation of how the program is organized and how each component of the management program will be funded.

Nonpoint Source Management Program: Management Program

For each NPS pollution category provide:

1. Brief introductory paragraph describing NPS source to be addressed
 - Problems associated with NPS source
 - Information on primary water quality pollutants
 - Percentage of land use associated with NPS pollution category
2. Identify short-term goals and objectives to address the NPS problem

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For each identified NPS pollution category provide the following:

- 1. A brief paragraph describing NPS source, as well as problems and needs associated with the source.**

-provide information on primary pollutants, percentage of land use associated with each NPS pollution category.

- 2. Identify specific short-term goals and objectives.**

-Objectives should identify specific management measures that will be implemented.

Nonpoint Source Management Program: Management Program (continued)

3. For each NPS pollution category, determine (if possible) and include supporting text for:
 - Specific BMPs to implement
 - Priority watersheds or critical areas to address
 - Expected water quality improvements from BMP implementation
 - Lead agency to implement BMP
 - Cooperating agencies to assist with BMP implementation
 - Public outreach (Information and education needs on why implementing BMPs)
 - Funding schedule and budget plan for BMPs implementation
 - BMP implementation schedule and milestones

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For each activity or management measure, determine the following (if possible) and include supporting text for each:

- **The specific BMPs that will be implemented**
- **Waterbodies or critical areas where the project will be implemented**
- **Expected water quality improvements including impacts of groundwater**
- **Lead agencies**
- **Cooperating agencies**
- **Information and education needed to promote the BMP**
- **Funding schedule/budget plan**
- **Implementation of schedule and milestones**

Nonpoint Source Management Program: Existing Authorities and Programs

- Identify and describe any tribal or federal NPS pollution laws or programs (ie., Water Quality Ordinances)
- Describe any specific grant programs (in addition to CWA 319) that provide financial assistance or resources that provide technical assistance.

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This section should identify and describe any tribal or federal laws or programs that address NPS pollution and activities associated with each. Examples of these laws or programs include

- **Clean Water Act Amendments (e.g., sections 303, 402, 404)**
- **Safe Drinking Water Act Amendments of 1996**
- **Provisions of the Food and Agricultural Trade Act of 1990**

Include a description of specific programs in addition to section 319 that offer financial or technical assistance to Tribes. Examples include

- **Transportation Equity Act for the 21st Century (TEA-21)**
- **Abandoned Mine Lands Program (SMCRA)**
- **Environmental Quality Incentives Program (EQIP)**
- **Wetlands and Conservation Reserves**
- **Wildlife habitat provisions of the 1996 Farm Bill**
- **Regional geographic initiatives (e.g., Chesapeake Bay Program)**

Nonpoint Source Assessment Report and Management Program: **FINAL STEPS**

- Submit completed NPS Assessment Report and Management Program Plan to your EPA Project Officer for review and approval
 - Some revisions may be required before approval of document
- Recommend revising and updating your NPS Assessment Report and Management Plan every 5 years (or sooner if major development or new environmental issues has occurred)
 - Use either CWA 106 funds or CWA 319 base funds

- QUESTIONS ??
- COMMENTS ??
- THANK YOU !